

**CLERK, U.S. DISTRICT COURT  
ALEXANDRIA, VIRGINIA**

JON H. OBERG, )  
Plaintiff, )  
v. ) Civil Action No. 1:07cv0960 (JFA)  
NELNET, INC., *et al.*, )  
Defendants. )

## **ORDER**

On Friday, August 6, 2010, counsel appeared before the court and presented argument on the defendants' Joint Motion for Leave to File Exhibits Under Seal. (Docket no. 473). The court has considered the motion, the memorandum in support (Docket no. 471) and the arguments of counsel. The court finds that allowing the defendants to file an unredacted version of the Memorandum in Support of defendants' Motion for Relief for Relator's Spoliation of Evidence and Exhibits 1, 2, 4, 5, 6, & 8 thereto (Docket no. 469) under seal temporarily would further the ends of due process by allowing the New America Foundation, a non-party to this litigation, the opportunity to move the court to maintain the documents under seal, should they so desire. For these reasons, it is hereby

ORDERED that the motion is granted. The defendants' promptly shall serve the New America Foundation with this Order and copies of their Joint Motion for Leave to File Exhibits Under Seal (Docket no. 473), the memorandum in support of the motion (Docket no. 471), an unredacted version of the Memorandum in Support of defendants' Motion for Relief for Relator's Spoliation of Evidence, and Exhibits 1, 2, 4, 5, 6, & 8 thereto (Docket no. 469). The defendants shall also inform the New America Foundation of the requirements of Local Civil

Rule 5 for the filing of documents under seal. Any motion to maintain an exhibit under seal shall be filed no later than 5:00 p.m. on Friday, August 20, 2010 and must comply fully with Local Civil Rule 5. Any exhibit that was filed under seal that is not the subject of a motion to maintain under seal shall be filed electronically with the court by the defendants by 5:00 p.m. on Wednesday, August 25, 2010.

Entered this 6th day of August, 2010.

/s/   
John F. Anderson  
United States Magistrate Judge  
John F. Anderson  
United States Magistrate Judge

Alexandria, Virginia